

MEMBERS PRESENT

Peg Birney
Brian Callahan, Alternate
Thomas J. Knips
Robert LaColla
David Stenger
James H. Wick, Chairman

MEMBERS ABSENT

Sheila Lahey
Shannon Lashlee, Alternate
Robert Rahemba

OTHER PRESENT

Christopher J. Colsey, Director of Municipal Development
J. Theodore Fink, AICP, Town Planning Consultant
Scott L. Volkman, Esq., Town Planning Board Attorney
William H. Povall III, P.E.
Catherine Wick
Eugene D. Ninnie, P.E.
Ziggy Rutan
Matthew Horton
Richard Rang, P.E.
Michael Gillespie

James H. Wick, Chairman at 7:00 p.m., called the meeting to order. Mr. Wick appointed Mr. Callahan, Alternate Planning Board member, to substitute for Mrs. Lahey.

Mr. Wick stated that the following items have been deferred from this evening at the request of the applicants: Locust Vue Senior Housing Development and the Hudson Valley Towne Center.

NEW SUBMITTAL**LANDS OF WICK, SOVIK & HYATT - SUBDIVISION**

Mr. Wick appointed Mr. Knips to be Acting Chairman during this discussion. Mr. Wick indicated that he is recusing himself from this discussion, as he is the applicant for this proposal.

Mr. Povall stated Parcel A is Mr. and Mrs. Wick's parcel, the Hyatt property Parcel B and the Sovik property, which is Parcel C. Mr. Povall stated a lot line realignment is being proposed. Mr. Povall stated approval is being sought to subdivide a parcel totaling 3.38 acres into three (3) lots. Lot 1 will consist of 1.73 acres, Lot 2 will consist of 0.69 acres and Lot 3 will consist of 0.64 acres. The Applicant also seeks Preliminary Resubdivision Approval to convey lands to two (2) adjoining parcels identified as Parcel B and Parcel C. Parcel B will consist of 0.53 acres and Parcel C will consist of 1.70 acres. Mr. Povall stated they are proposing to hook up to central water and central sewer.

Mr. Knips asked if the owners of Lot 2 and Lot 3 didn't want to participate in a common driveway can individual driveways be constructed which access Route 9D. Mr. Povall stated yes, but retaining walls would need to be constructed.

Mr. Stenger asked if proposed Lot 2 and Lot 3 have to demonstrate that they can come out on to Route 9D. Mr. Povall stated Lot 2, Lot 3 will always have access, and it will be recorded so access would never be cut off to or from Route 9D.

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NEW SUBMITTAL
LANDS OF WICK, SOVIK & HYATT - SUBDIVISION
(CONTINUED)

Mr. Povall stated this plan is in conformance with the current Town Zoning regulations.

Mr. Knips asked if a completed application, EAF, fees and escrow deposit have been received. Mrs. Davis stated yes.

Mr. LaColla made a motion that the Board accept the application for the Lands of Wick, Sovik & Hyatt Subdivision and refer it to the Town Engineer, Town Director of Municipal Development, Town Building Inspector, Town Planning Consultant, Town Planning Board Attorney, NYS Department of Transportation, Dutchess County Department of Health and the Chelsea Fire District for their review and comments. Seconded by Mrs. Birney. Mr. Wick abstained. Motion carried.

Mr. LaColla made a motion that the Board schedule a public hearing for July 28, 2005 at 7:30 p.m. or as soon thereafter as possible. Seconded by Mrs. Birney. Mr. Wick abstained. Motion carried.

REVIEW
MID HUDSON MEDICAL GROUP, LLC - SITE DEVELOPMENT PLAN
AND SUBDIVISION

Mr. Wick read the memorandum to the Board from Dutchess County Department of Planning & Development dated July 12, 2005.

Mrs. Johnson reviewed Mr. Fink's memorandum to the Board dated July 14, 2005; a copy of Mr. Fink's memorandum is attached to the original minutes.

Mr. Knips made a motion that the Board circulate for intent to serve as Lead Agency to the Village of Fishkill, Dutchess County Department of Health and Dutchess County Department of Planning & Development. Seconded by Mr. LaColla. Motion carried.

Mrs. Birney suggested that Mr. Ninnie bring in a layout for the overall site. Mr. Ninnie stated he could provide an overall site plan from the pond over.

Mr. Wick suggested that the applicant do a cumulative impact study as suggested by Mr. Fink. The Board agreed with Mr. Wick.

Mr. Wick asked if a resolution has been reached on the water situation. Mr. Rutan stated they are working on this with the Village and the Town.

Mr. LaColla asked if there would be any ambulance services to the building. Mr. Rutan stated just for transportation.

REVIEW
MID HUDSON MEDICAL GROUP, LLC - SITE DEVELOPMENT PLAN
AND SUBDIVISION

Mr. Wick mentioned that the Board would be planning a site visit in the future to this property.

Mr. LaColla asked what type of construction this building will be. Mr. Rutan stated it would be a steel-frame. Mr. Rutan stated this building would look like his office building on Middlebush Road. Mrs. Birney asked if there will be elevators. Mr. Rutan stated yes.

PUBLIC HEARING
INDORF - SUBDIVISION

The preliminary public for Indorf Subdivision was called to order by the Board at 7:38 p.m. Mr. Wick read aloud the Notice of Public Hearing.

Mr. Horton stated that the Applicant is requesting approval to subdivide a parcel totaling 1.57 \pm acres into two (2) lots. Lot 1 will consist of 1.16 \pm acres and Lot 2 will consist of 0.41 \pm acres. Mr. Horton stated that the parcel for this proposal is located at 5 Tompkins Avenue (northwest corner of Old Glenham Road and Tompkins Avenue), in the R-15 Zoning District.

Mr. Wick asked if there was anyone in the audience with question, comments or concerns regarding this proposal. There was no response from those in general attendance.

Mr. Colsey reviewed Mr. Andrews' memorandum to the Board dated July 7, 2005; a copy of this memorandum is attached to the original minutes.

Mrs. Johnson reviewed Mr. Fink's memorandum to the Board dated July 14, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Knips made a motion that the Board circulate its intent to be Lead Agency to the Dutchess County Department of Health. Seconded by Mrs. Birney. Motion carried.

Mr. Wick asked if there were any further questions, comments or concerns regarding this public hearing. There was no response from those in general attendance.

Mr. Knips made a motion that the Board close the public hearing at 7:49 p.m. Seconded by Mrs. Birney. Motion carried.

Mr. LaColla made a motion that a Resolution of Preliminary and Final Approval be prepared for review at the July 28, 2005 Planning Board meeting. Seconded by Mr. Knips. Motion carried.

PUBLIC HEARING
PEAK ENTERPRISES - SPECIAL USE PERMIT

The public hearing for Peak Enterprises - Special Use Permit was called to order by the Board at 8:00 p.m. Mr. Wick read aloud the Notice of Public Hearing.

Mr. Povall stated that the Applicant is seeking Special Use Permit approval to construct a 2,960 SF building to be utilized for contractor shops (small office/shop space) and associated parking. Mr. Povall stated that the parcel for this proposal is located at 311 Old Route 9 (approximately 1/5 mile east of the intersection of Old Route 9 and Route 9), in the GB (General Business) Zoning District and consists of 0.44 ± acres.

Mr. Wick asked if there were any questions, comments or concerns regarding this proposal. There was no response from those in general attendance.

Mr. Povall stated they are going to propose on the next revised plan, an above the ground fuel tank in the back of the building that would meet the NYSDEC requirements. Mr. Povall stated they are also going to propose an enclosed dumpster area in the back of the building.

Mr. Knips asked if curbing or an impervious type of surface is required for the fueling area. Mr. Povall stated the NYSDEC only gets involved with tanks of 11,000 gallons or more. Mr. Povall stated they could create a concrete slab for the fuel tank to go on and some add some pavement out to where the refueling will occur.

Mrs. Birney asked where the dumpster area would be. Mr. Povall stated it would be next to the fueling area. Mrs. Birney stated she is concerned with the dumpster being so close to the fuel tank. Mr. Povall stated he would put bollards in front of the fuel tank. Mr. Povall stated he would show more detail on the drawing for the fuel tank and dumpster areas on his next submission.

Mr. Knips suggested that when the revised drawings are received that the Board recirculate to the fire district. The Board agreed with Mr. Knips.

Mr. Wick asked if there were any further questions, comments or concerns regarding this proposal. Mr. Knips made a motion that the Board close the public hearing at 8:00 p.m. Seconded by Mrs. Birney. Motion carried.

REVIEW
VAN WYCK @ MERRITT PARK - 28 UNIT EXPANSION
AMENDED SITE DEVELOPMENT PLAN

Mrs. Johnson reviewed the Draft Negative Declaration prepared by Mr. Fink.

Mr. Knips made a motion that the Board adopt the Negative Declaration as modified during the course of discussion this evening. Seconded by Mrs. Birney. Motion carried.

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REVIEW
VAN WYCK @ MERRITT PARK - 28 UNIT EXPANSION
AMENDED SITE DEVELOPMENT PLAN
(CONTINUED)

Mr. Colsey reviewed the Draft Resolution of Preliminary Approval - Amended Site Development Plan. Mr. Colsey indicated that Mr. Rang was kind enough to e-mail his suggested revisions to the document to him. Mr. Colsey reviewed Mr. Rang's suggested revisions to the document.

Mr. Rang stated he recognizes that Mr. Andrews' has not reviewed this draft yet and has no problem moving this to the July 28, 2005 Planning Board meeting for the Board's consideration.

It was the consensus of the Board that the modifications as discussed this evening shall be made to the document, the document shall be forwarded to Mr. Andrews for his review and suggested revisions and that the document be revised in accordance with Mr. Andrews' suggested revisions for review at the July 28, 2005 Planning Board meeting.

REVIEW
PINE VIEW CONSTRUCTION - SUBDIVISION

Mr. Wick reviewed Mr. Andrews' memorandum to the Board dated July 7, 2005; a copy of this memorandum is attached original minutes.

Mr. Knips made a motion that the Board circulate its intent to serve as Lead Agency for this proposal to Dutchess County Department of Health and the NYSDEC. Seconded by Mrs. Birney. Motion carried.

Mrs. Johnson reviewed Mr. Fink's memorandum to the Board dated July 14, 2005; a copy this memorandum is attached to the original minutes.

The Board authorized Mr. Gillespie to meet with Mr. Andrews and Mr. Scofield to perform a site visit.

PIONEER HOLDINGS (A.K.A. RAL SUPPLY GROUP, LLC
AMENDMENT TO SPECIAL USE PERMIT

Mr. Colsey reviewed Mr. Andrews' memorandum to the Board dated July 7, 2005; a copy of this memorandum is attached to the original minutes.

Mrs. Birney made a motion that the Board circulate its intent to Lead Agency Status to Dutchess County Department of Health and the NYSDEC. Seconded by Mr. Knips. Motion carried.

Mrs. Johnson reviewed Mr. Fink's memorandum to the Board dated July 14, 2005; a copy of this memorandum is attached to the original minutes.

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OTHER ITEMS DISCUSSED
CASA DI PASTA

Mrs. Birney indicated that the Temporary Certificate of Occupancy would expire for Casa Di Pasta on August 14, 2005.

Mr. Knips made a motion that a letter be prepared to Mr. Livshin indicating the Temporary Certificate of Occupancy will expire on August 14, 2005; such letter shall remind Mr. Livshin of the conditions that must be met before a Final Certificate of Occupancy may be recommended for issuance by the Board for Casa Di Pasta.

ZBA REFERRAL
19 MELZINGAH RESERVOIR ROAD - R-4A ZONING DISTRICT

It was the consensus of the Board that Mr. Colsey utilize the last letter that was written to the ZBA for this parcel, as their recommendation is the same.

REVIEW
JUNE 23, 2005 PLANNING BOARD MEETING MINUTES

Mrs. Birney made a motion that the Board adopt the June 23, 2005 Planning Board Meeting Minutes as amended. Seconded by Mr. Knips. Motion carried.

Mr. Birney made a motion that the Board close the meeting at 9:10p.m. Seconded by Mr. LaColla. Motion carried.

Respectfully submitted,
Debbie Davis
Planning Board Secretary

Attachments to the original minutes

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